

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

Nyjee Boyd,

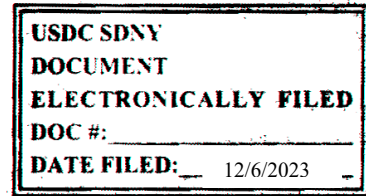
Plaintiff,

-against-

Correction Officer Charles Guthrie, et al.,

Defendants.

-----X



7:22-CV-8549 (VR)

**ORDER**

**VICTORIA REZNIK, United States Magistrate Judge:**

Plaintiff, pro se and incarcerated, moves for a 30-day extension of time to submit an amended complaint, join additional parties, and serve additional document requests and interrogatories. (ECF No. 44). Defendants do not oppose Plaintiff's motion. (ECF No. 48). Defendants ask that, if the Court grants Plaintiff's requests, that it also amend the remaining discovery deadlines in the Civil Case Discovery Plan and Scheduling Order. (*Id.*).

Upon due consideration, it is hereby **ORDERED** that Plaintiff's motion to extend the deadline to file an amended complaint, join additional parties, and serve document requests and interrogatories is **GRANTED**. Plaintiff's amended complaint and additional document requests and interrogatories are due by **December 20, 2023**.

It is further **ORDERED** that Defendants' request to amend the remaining discovery deadlines in the Civil Case Discovery Plan and Scheduling Order is **GRANTED**. The parties are directed to meet and confer and to agree upon a proposed revised Civil Case Discovery Plan and Scheduling Order to be so ordered by the Court, and to submit it to the Court by no later than **January 5, 2024**.

The Court observes that pursuant to the parties' original Civil Case Discovery Plan and Scheduling Order, the parties have a Case Management Conference, currently scheduled before Judge Román, on January 19, 2024, at 10:00 AM. (ECF No. 35). To accommodate the parties' respective extension requests, the parties are directed to promptly write to Judge Román, requesting adjournment of the January 19, 2024, Case Management Conference.


In this action, the Court scheduled telephonic Status Conferences for November 28, 2023, and for December 6, 2023. However, Plaintiff failed to appear at either conference because the facility failed to make appropriate arrangements for Plaintiff's availability or otherwise. Although the most recent failed appearance appears to be the fault of the facility, **counsel for Defendants is nevertheless reminded that they are responsible for making all necessary arrangements with the facility so that Plaintiff can appear at Court conferences and hearings.** Given the facility's most recent failure to make Plaintiff available, counsel for Defendants is directed to **immediately** communicate the contents of this Order to Plaintiff via telephone and to provide Plaintiff with a copy of this Order.

Finally, the parties are directed to submit a joint letter, by no later than **January 5, 2024**, providing the Court with an update on the status of the case. The parties' letter should detail the progress of discovery in the prior month and the anticipated next steps in the upcoming month. The letter should also note whether Plaintiff has responded to Defendants' discovery demands and whether Plaintiff has served his discovery demands on Defendants, as discussed at the October 19, 2023, telephonic Status Conference.

The Clerk of Court is respectfully directed to terminate any pending Letter Motions at ECF Nos. 44, 48.

**SO ORDERED.**

DATED: White Plains, New York  
December 6, 2023

  
\_\_\_\_\_  
VICTORIA REZNIK  
United States Magistrate Judge